

Ownership Change

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A43-00323A**

Date Received: 4/18/1989

Receipt No: S006890

Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: AMPELIO MONTOYA 208-645-2431
Address: PO BOX 87
MALTA ID 83342

AND/OR

Name: ALBERTA MONTOYA 208-645-2431
Address: PO BOX 87
MALTA ID 83342

2. Date of Priority: APR 1, 1912

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	23	SW	NW			CASSIA

5. Description of diverting works:
HEADGATE, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.100		

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13S	26E	24	SW	NE		IRR	10.0

MICROFILMED

A43-00323A

Page 1

Date: 12/01/92 **MAR 03 1993**

10. Place of Use: Continued

Section Acres	10.0
Total Acres	10.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A43-04105B

14. Remarks:
PORTION OF 43-00323 DECREE

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
MAY 04 1992

DATE OF CLOSING: June 1990

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 13 South Range 26 East of Boise Merid
Section 24, 1/4 of Pt SW 1/4 of NF 1/4, Govt. Lot , BM-
Lot , Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) MAY 07 1992
- [] Water Right Number(s) Assigned by IDWR: A43-04105 B, A43-10107, A43-00323 As per phone call 11/30/92 Mrs. Rodocker
- [] Name and Address of Former Owner/Claimant(s)(Seller): Sherryl or Donna Rodocker 678-4715
603 E 18th Lane 10107
Burley, ID 83318 00323A
- [] New Owner/Claimant (Purchaser): Ampelio & Alberta Montoya
- [] New Mailing Address: Box 87
Malta, ID 83342
- [] New Telephone Number: () 645 - 2431
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [] Signature of New Owner/Claimant(s): Ampelio Montoya Date 4-30-92
Alberta Montoya Date 4-30-92
- [] Signature of Former Owner/Claimant(s): Sherryl M. Rodocker Date 4-20-92
Donna Rodocker Date 4-20-92

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

MAR 03 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

01-Dec-1992 11:19

Ampelio & Alberta Montoya
PO Box 87
Malta, ID 83342

RE: SRBA Claims A43-04105B, A43-10107 & A43-00323A

Dear Mr. & Mrs. Montoya:

Pursuant to the notification that you presently own the property in which the above referenced adjudication claims are appurtenant, the Department has changed the record of the current owner as requested. Please find enclosed a copy of the computer record of the claims noting the change in claimant. Please review the record and if you have any corrections please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Allen Merritt'.

Allen Merritt, P.E.
Water Rights Supervisor

Encl:

MICROFILMED

MAR 03 1993

Water Right Number - R43-00323A

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - + + - - - - - Address - - - - - +
 *** C - CURRENT OWNER ***
 MONTOYA AMPELIO
 1 - PO BOX 87
 2 -
 3 -
 City- MALTA
 Phone - 208-645-2431
 1 - PO BOX 87
 2 -
 3 -
 City- MALTA
 Phone - 208-645-2431
 State- ID Zip- 83342

MONTOYA

ALBERTA

State- ID Zip- 83342

*** O - ORIGINAL OWNER ***
 RODOCKER

DONNA

1 - HC 72 BOX 2022
 2 -
 3 -
 City- MALTA
 Phone - 208-645-2566
 1 - HC 72 BOX 2022
 2 -
 3 -
 City- MALTA
 Phone - 208-645-2566

State- ID Zip- 83342

RODOCKER

S. N.

State- ID Zip- 83342

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
 04/01/1912 17 SOUTHERN D - DECREED

+ - - Source - - - - - + + - - - Tributary - - - - - +
 CASSIA CREEK RAFT RIVER

+ - - - - - Point of Diversion - - - - - +
 Twn Rng Sec Tract Lot RFlg County
 13S 26E 23 SW NW (31) CASSIA

+ - - - - - Water Use - - - - - +
 Code Description Period From Period To Diversion Rate Diversion Volume
 01 - IRRIGATION 03/15 11/15 0.100

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
 0.100 0.0

+ - - - - - Place of Use - - - - - +
 Twn Rng Sec Tract Lot Acres Code Description County
 13S 26E 24 SW NE 10.0 01 IRRIGATION (31) CASSIA

Total Acres: 10.0

MICROFILMED
 MAR 03 1993

Water right number - R43-00323A

Prefix Translation: RESEARCH

+ - - Diversion Means - HEADGATE, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A43-04105B

PORTION OF 43-00323 DECREE

4300323

Old Water Right Numbers

Conditions of Approval
No Conditions of Approval found.+ - - Decree Plaintiff - - - +
ALBION-IDAHO LAND CO.+ - - Decree Defendant - - - +
JOBE ADAMS ET AL+ - Decree Date - +
10/18/1928Date: 12/01/1992 User Id: MERRITT Subject: OWNERSHIP CHANGE
RECEIVED 5/7/92 FROM RODOCKER TO MONTROYA.

COMPLETED. ADM

+ - - Audit Fields - - +
12/01/92 MERRITT

Adjudication Rights Dates and Flags Area									
Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	-	39576			
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-				
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-				
Claim Received Date	- 04/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P				
		Receipt Number	- S006890	Water District	-				
		POU Ownership Flag	- Y	Federal/State Indicator	- S				
		Name Connector	- AND/OR	Presumption Flag	-				
				Notice of Error Flag	-				

MICROFILMED
MAR 03 1993

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A43-00323A
Date Received: 4/18/1989
Receipt No: S006890
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: S. N. RODOCKER 208-645-2566
Address: HC 72 BOX 2022
MALTA, ID 83342
AND/OR
Name: DONNA RODOCKER 208-645-2566
Address: HC 72 BOX 2022
MALTA, ID 83342

2. Date of Priority: APR 01, 1912

3. Source: CASSIA CREEK Trib. to: RAFT RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13S	26E	23	SW	of	NW		CASSIA

5. Description of diverting works:
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7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
13S	26E	24	SW NE		IRR	10.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: CASSIA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
A43-04105B

14. Remarks:
PORTION OF 43-00323 DECREE

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

vs

JOBE ADAMS ET AL
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): S. N. Rodolphe Date: 4-18-89

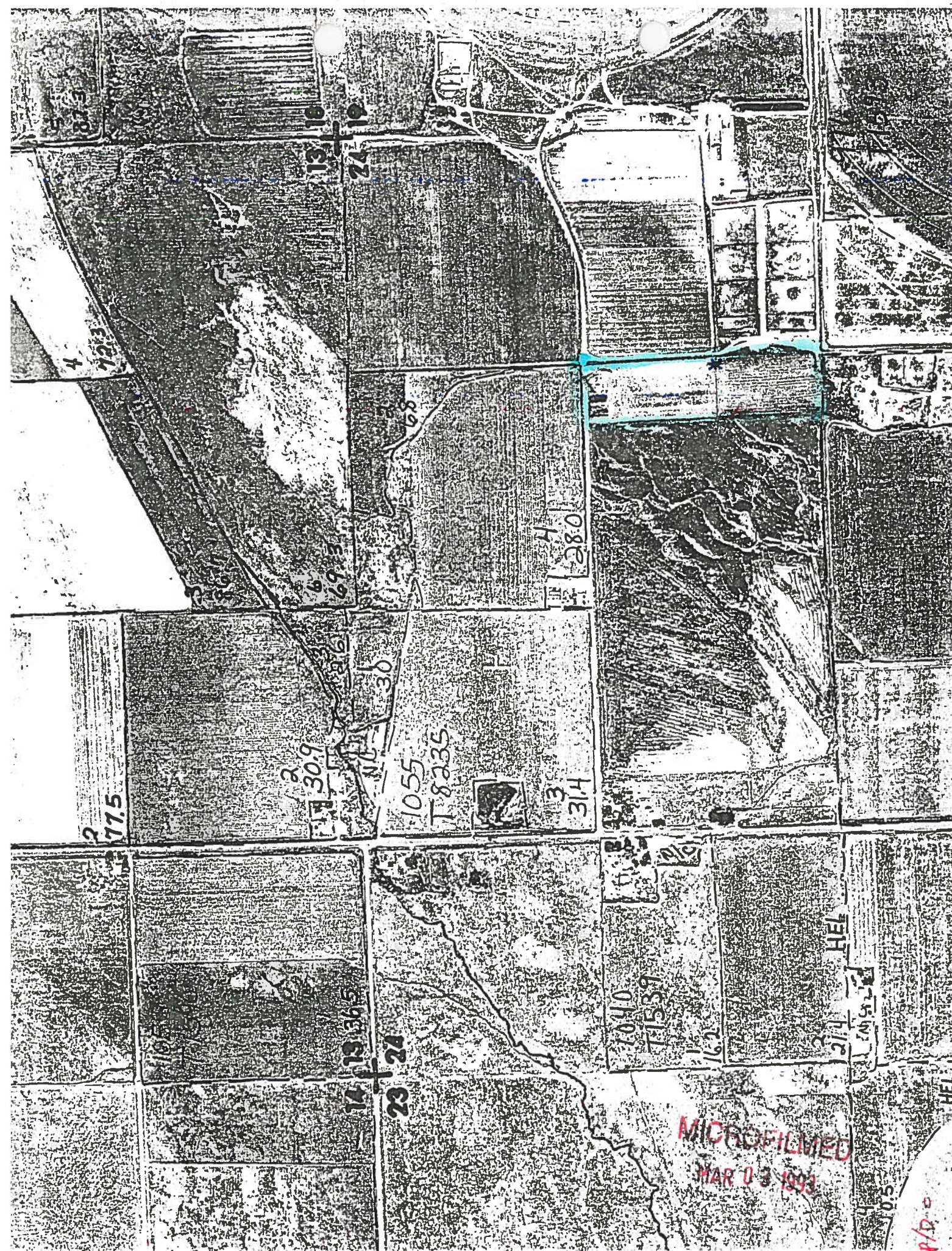
Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of Apr 19 89 Don W. Winters
Notary Public

Seal

Residing at TF
My Commission Expires 5/94



KC
05/10/2001

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-323A

AMPELIO MONTOYA
PO BOX 87
MALTA ID 83342
Telephone Number: (208)645-2431

ALBERTA MONTOYA
PO BOX 87
MALTA ID 83342
Telephone Number: (208)645-2431

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 5/30/01 SIGNATURE: *Ampelio Montoya*
Please print your name: Ampelio Montoya

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, (208)736-3033

MEMORANDUM

RECEIVED

OCT 10 2000

Department of Water Resources
Southern Region

To: File
From: Scott King
Date: October 3, 2000

Subject: A43-04105 Parts B, C & D

Requests for historic pumping capacity information were sent to Ampelio & Alberta Montoya (A43-04105B) and Joseph and Mary Luana Barrett (A43-04105C & D). Montoya returned our information form. Barrett did not return the form, but spoke with Cindy Bird on the telephone.

Montoya's form indicates that he uses a 5 horsepower pumping system, and states that "1991 – present used 2 lines each of 16 birds used every other day to irrigate land." This statement may mean that both lines are used every other day, or that he alternates between the two lines, using only one at a time on alternating days. He also indicates a flow measurement of 240 (units unknown). It would take approximately 0.24 cfs to operate two handlines with sixteen 1/8" nozzles per line at 40 psi. A 5-hp pump could deliver this flow if the water table were fairly high with a pumping lift of about 30 to 40 feet. Well logs show a well drilled in the SWNE of section 12 in May 1981 in the name of Rodaker that is most likely now Montoya's well. In 1981 after construction, it had a static water level of 17 feet, and a pumping level of 80 feet at 0.11 cfs test flow, which demonstrates that a 5-hp pump could not deliver 0.24 cfs as the pumping lift would be too high. Operating one handline instead of two (at about 0.13 cfs) is reasonable if the pumping lift is about 100 to 130 feet. The water table in this area has likely declined between 20 and 50 feet since 1981.

On 2/24/00 Joe Barrett telephoned. He stated that he is buying the property from his father, which is listed in his father's name. He had to talk to his dad to figure out what has taken place on the farm. This farm was originally owned by his grandfather, then his dad and now Joe is purchasing the farm. Cindy Bird spoke with Mr. Barrett again on 6/6/2000. He stated that the well system was **not ever** used for irrigation, as there is not enough water. The well currently supplies 3 homes with less than 1/2 acre of irrigation per home.

Review of original claim file for 43-04105 (from vault) and well logs reveal these developments:

March 7, 1967: Nina Barrett sells 10 acres to Rodaker (document in vault claim file).

August 1967: Rodaker constructs new 8" domestic well in SWNE Section 24 (well log).

March 3, 1981: Larence Barrett files claim to a water right, 43-4105. He states the POD is located at SENW Section 24, and also that "Original hand-dug well has deteriorated and is being replaced with a drilled well." He claims 1.60 cfs for irrigation of 80 acres in SWNE and SENW (vault claim file). Well logs do not indicate that Barrett ever constructed an irrigation well to replace the hand dug well.

March 30, 1981: Rodaker files a transfer (no. 2541), splitting 10 acres and 0.20 cfs from 43-4105, and moving his POD from SENW to SWNE of Section 24. His map shows the "old well" in SWSENE of section 24, just east of Highway 30. The new well is proposed to be located on the far east side of the SWNE of section 24 (about ½ mile east of the highway) (vault claim file).

May 1981: Rodaker constructs new 8" irrigation well, identified on the well log map in the far east side of the SWNE Section 24 (matching the transfer map) (well log).

September 1990: Barrett constructs a new domestic well, identified on the well log map in the center of the SWNE of Section 24 (well log).

Review of 1962 and 1968 aerial photography reveals that much, but possibly not all, of the claimed 80 acres has been irrigated. The 1987 IR photography shows that the 10 acres claimed by Montoya is probably now sprinkler irrigated, while the remaining 70 acres owned by Barrett may be flood irrigated. The claims indicate the land also has surface water from Cassia Creek. Since Barrett has stated that, at least for their land, the well was never used for irrigating more than the yards around the homes, and since the sequences of photos seem to indicate the same extent of irrigation over the years, it appears likely that ground water was not historically used in significant quantities for irrigation.

I am concerned about this claim. It is unlikely that 1.6 cfs was ever diverted from a hand dug well in 1925. Photography does not clearly demonstrate that this land was completely and adequately irrigated. Well logs and information in the original filing indicate that perhaps very little ground water was diverted until 1981 when Rodaker drilled an irrigation well. Perhaps other information has been submitted to help substantiate this claim. If other substantiating information is not available, I am reluctant to recommend it as claimed.

Idaho Department of Water Resources
 Estimated Pumping Rate Documentation Form
 Flow Analysis Performed by: **Scott King**

ed 1/6/2000

Date: **10/4/2000**

Page 1 of 2

Record ID	269	Measured Flow:	
Water Right No.	A43-04105B	Designed Flow:	
Name	Montoya	HP/Eff Flow:	0.13 cfs
pod	13S 26E 24 SWNE	Sprinkler Flow:	0.13 cfs
year:	1999	Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:		gpm	=
Horsepower / Efficiency Method			
Horsepower	5 hp	nameplate hp	
PWL	130 ft	assumed level	
Disch Psi	50 psi	assumed pressure	
PUMP Eff Estimate	0.73 %		
TDH	246 ft		
OHP	3.65 hp		
Flow	59 gpm	=	0.13 cfs
System Method:			
No Lines	1	Nozzle Equation: $Q=C*A*\sqrt{2*g*h} / \sqrt{1-r^4}$	
Birds per line	16	C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	16	r=	0.0052 ft Nozzle radius
Nozzle size	1/8 in	A=	0.00009 ft^2 Nozzle area
Nozzle pressure	45 psi	h=	104 ft Head
Flow per nozzle	3.13 gpm	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	50 gpm	Q=	0.007 cfs Flow per nozzle
Percent Leaks	12 %	=	3.129 gpm Flow per nozzle
Total Flow	57 gpm	=	0.13 cfs
Pivot / System rating		gpm	=

Comments / Data Supplied:

10/4/2000

Montoya submitted form stating pump was 5 hp, and that from 1991 to present "used 2 lines each of 16 birds used every other day to irrigate land."

I'm assuming this statement means that Montoya has two handlines with 16 birds each, and that he uses only one line per day, alternating between one line and the other on alternate days. Well logs indicate that the well is an 8" irrigation well constructed in 1981 for Rodaker. The well was constructed to 249 feet deep, static water level was 17 feet, and the well was tested at 50 gpm (0.11 cfs) with a pumping level of 80 feet. The water table in this area has likely dropped about 25 feet from 1986 to 1999 (S. Bendixon's Ground Water Data map). Therefore, the assumption of a 130 foot pumping level is probably reasonable considering water table declines and pumping at a rate 20 per cent higher than the tested rate. Also, nozzle size of 1/8" is an estimate, typical of nozzle sizes in the area

Idaho Department of Water Resources
Estimated Pumping Rate Documentation Form

Flow Analysis Performed by: **Scott King**

Date: **10/4/2000**

Page 2 of 2

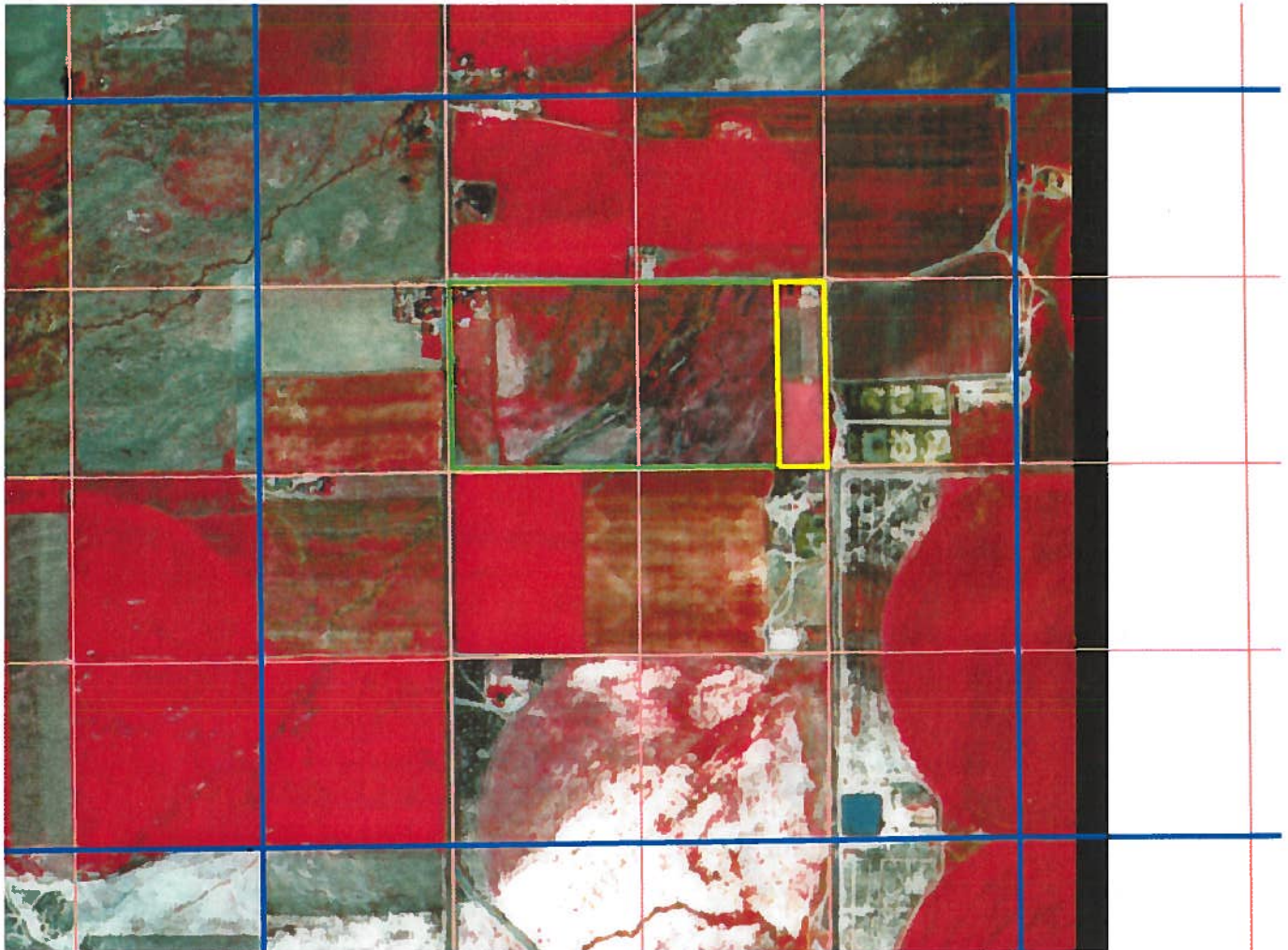
Record ID	269	Measured Flow:	
Water Right No.	A43-04105B	Designed Flow:	
Name	Montoya	HP/Eff Flow:	0.24 cfs <--Max
pod	13S 26E 24 SWNE	Sprinkler Flow:	0.24 cfs
year:		Pivot/System Flow:	
Flow Measurement:		gpm	=
Curve/Pump Design:		gpm	=
Horsepower / Efficiency Method			
Horsepower	5	hp	
PWL	40	ft	
Disch Psi	40	psi	
Eff Estimate	0.73	%	
TDH	132	ft	
OHP	3.65	hp	
Flow	109	gpm	= 0.24 cfs
System Method:			
No Lines	2	Nozzle Equation: $Q = C \cdot A \cdot \sqrt{2 \cdot g \cdot h} / \sqrt{1 - r^4}$	
Birds per line	16	C=	1.00 Nozzle coefficient; typical 0.97 to 1.00
Ttl no nozzles	32	r=	0.0052 ft Nozzle radius
Nozzle size	1/8	A=	0.00009 ft^2 Nozzle area
Nozzle pressure	40	h=	92 ft Head
Flow per nozzle	2.95	g=	32.2 ft/sec^2 Gravitational constant
Sprinkler Flow	94	Q=	0.007 cfs Flow per nozzle
Percent Leaks	12	=	2.950 gpm Flow per nozzle
Total Flow	107	gpm	= 0.24 cfs
Pivot / System rating		gpm	=

Comments / Data Supplied:

10/4/2000 snk.

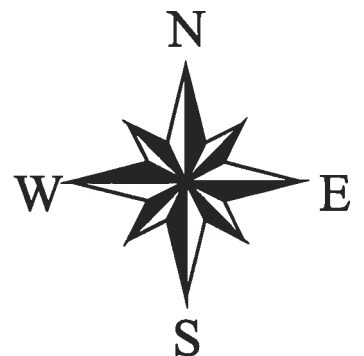
The above computations show that 2 lines, as described by Montoya, operating at a fairly low pressure (40 psi), would require about 0.24 cfs. A 5-hp pump could deliver this flow, but only with shallow pumping levels. The well, when constructed, was tested at 50 gpm with a pumping level of 80 feet. It is highly unlikely that the system can deliver the 0.24 flow required for operating both lines.

A43-04105 A & B
13S 26E Section 24



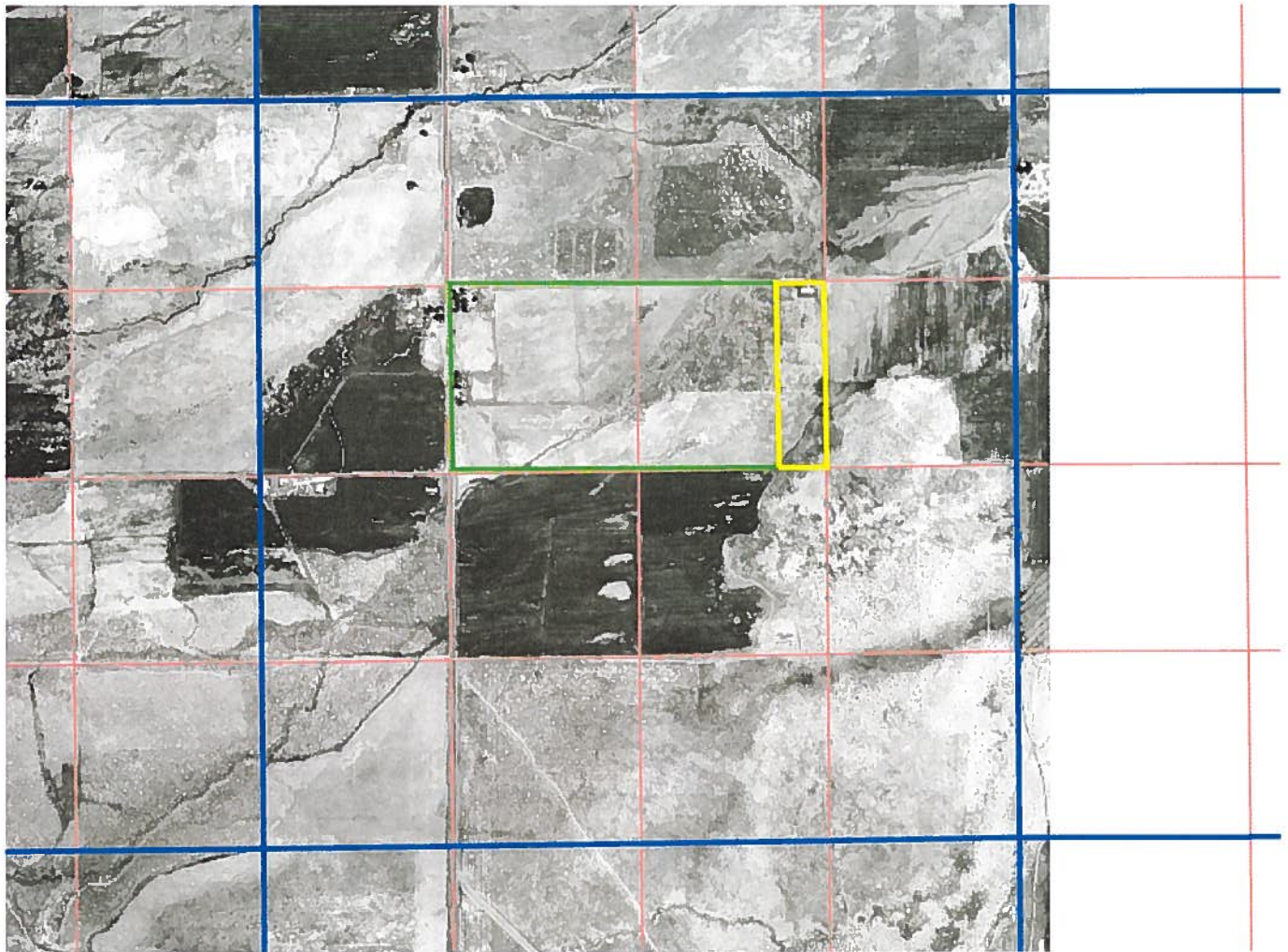
0.4 0 0.4 0.8 Miles

-  A43-04105B Claimed POU (appx)
-  A43-04105A Claimed POU (appx)
-  Sections
-  QQ



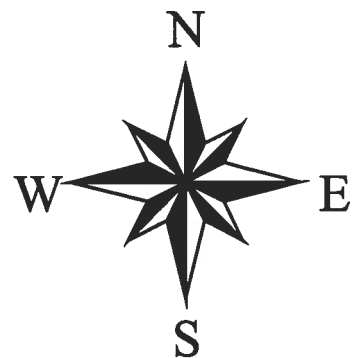
1987 IR Photography

**A43-04105 A & B
13S 26E Section 24**



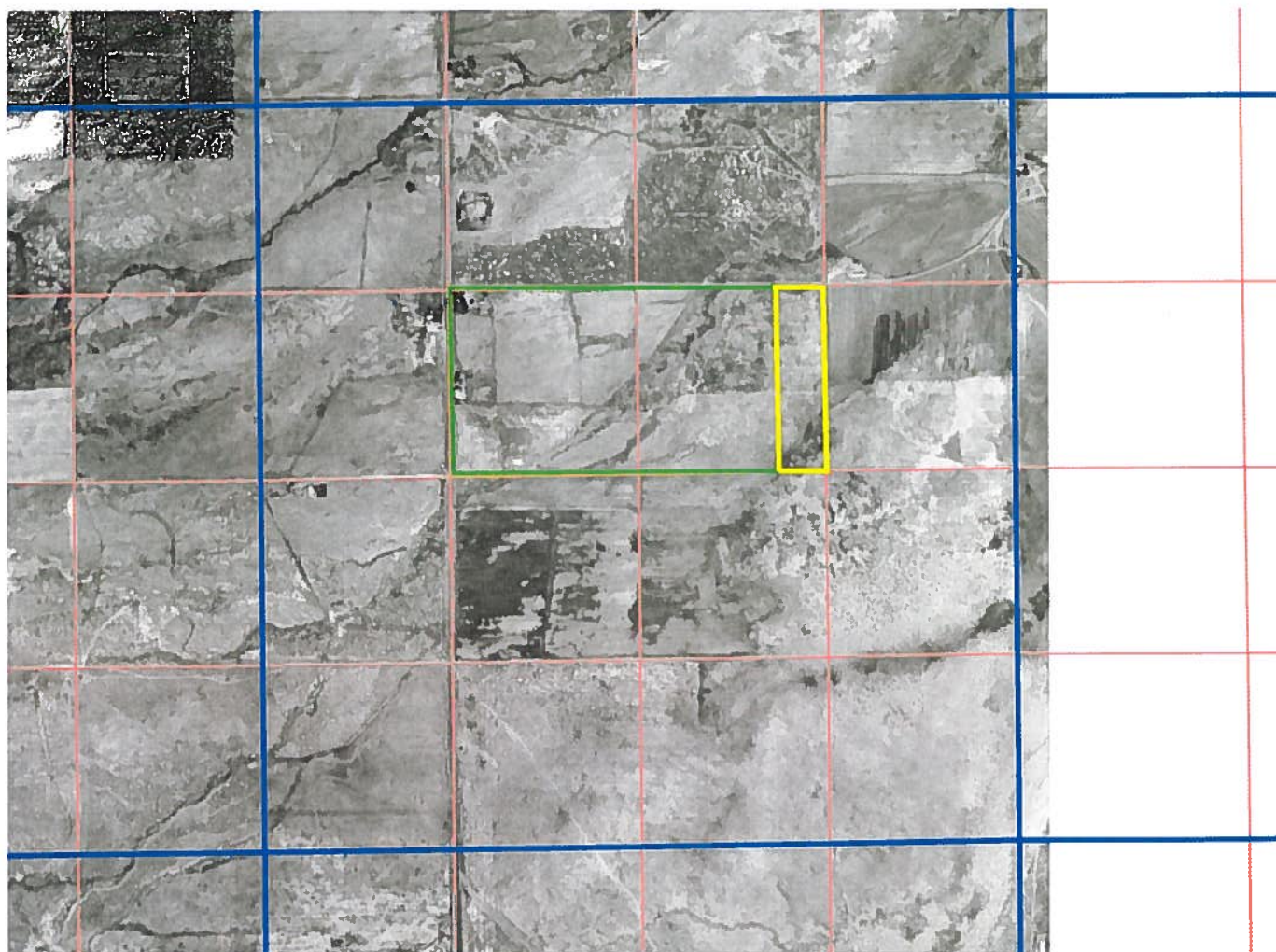
0.4 0 0.4 0.8 Miles

-  A43-04105B Claimed POU (appx)
-  A43-04105A Claimed POU (appx)
-  Sections
-  QQ



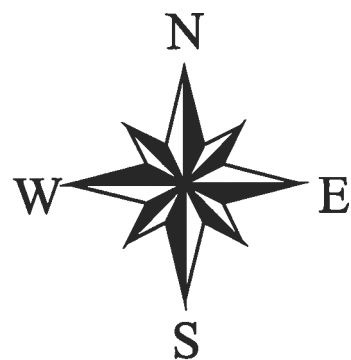
1968 Photography

A43-04105 A & B
13S 26E Section 24



0.4 0 0.4 0.8 Miles

-  A43-04105B Claimed POU (appx)
-  A43-04105A Claimed POU (appx)
-  Sections
-  QQ



1962 Photography

269

Idaho Department of Water Resources
Adjudication Bureau

December 6, 1999

Name: _____ A4304105B
Point of Diversion: MONTOYA AMPELIO
13S26E24SWNE
Claim No(s): _____

RECEIVED
MAR 09 2000

Department of Water Resources

Data Submission for Estimating Well Pumping Capacity

This form is for documenting historic flow rate from a well based on available information including: flow measurements, pump curves or specifications, system characteristics such as motor horsepower, depth to water, discharge pressure, and irrigation system characteristics. The department is attempting to quantify the maximum rate of flow diverted and put to beneficial use in the years prior to November 1987.

If you have any questions regarding this data request, please contact either Scott King (208) 327-7897 or Cindy Bird (208) 327-5450. You may also dial the adjudication hotline (1-800-451-4129) and ask for Scott or Cindy. If you prefer to discuss these questions with us instead of completing the form, your call is welcomed. We can also be contacted by e-mail at sking@idwr.state.id.us and cbird@idwr.state.id.us

1) Rate of Flow measurements: 240 (cfs or gpm)

Please give approximate date, person or entity performing measurement, description of measuring device and any other applicable data. Examples may include measurements made as part of an energy efficiency survey, which are often provided as a service through your electric utility.

2) Pump characteristic curves or specifications: Please include copy of pump curve, or state designed pumping capacity, rated flow and head, and approximate year of pump installation. Other helpful items may include the pump manufacturer, model number, and number of stages.

5 horsepower

3) Pumping system characteristics:

Diversion rate can be determined by using power, pumping lift, discharge pressure, and estimated pumping efficiency. If the system has changed over time, you can provide information for several system configurations.

Year	Well pump motor horsepower	Booster pump(s) motor horsepower	Depth to water, pump off (ft)	Depth to water, pump on (ft)	Discharge pressure (psi)
99	5				

4) Irrigation System:

Please provide description of the water delivery system. State number of lines and birds, nozzle size, and operating pressure(s) of impact-type sprinkler systems; designed rated flow for pivot systems. As above, if various systems have been used through the years, provide year as well. Example:

1963 to 1974 – Well pump open discharges to ditches for flood irrigation using 50 siphons per set. Siphons were 1.5 inch diameter, 5 feet long.

1975 to 1984 – Six wheel lines with 32 birds per line, 5/32 inch nozzles operating at 60 to 70 psi at the sprinklers.

1985 to present – Eight tower center pivot with impact sprinklers and end gun, no corner catcher, designed for 1150 gpm. Also solid set hand lines in corners which operate separate of the pivot, operating a total of 250 birds per set, 9/64 inch nozzles operating at 65 to 75 psi at the sprinklers.

1991 - present Used 2 lines each of 16 birds
Used every other day to irrigate land.

5) Other information:

Please also include any other information that you feel may indicate maximum historic diversion rate for your well.

WVH 0 2 5000

RECEIVED

12/19/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 43-323A

NAME AND ADDRESS: ALBERTA MONTOYA
AMPELIO MONTOYA
PO BOX 87
MALTA, ID 83342

SOURCE: CASSIA CREEK

TRIBUTARY: RAFT RIVER

VERIFIED BY KKC

QUANTITY: 0.1 CFS

WHEN COMBINED THE FOLLOWING RIGHTS SHALL PROVIDE NO MORE THAN
.02 CFS PER ACRE. COMBINED RIGHT NOS. 43-323A AND 43-4105B

PRIORITY DATE: 04/01/1912

POINT OF DIVERSION: T13S R26E S23

SESENW

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03-15 11-15

QUANTITY
0.10 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T13S R26E S24 SWNE 10

10 ACRES TOTAL

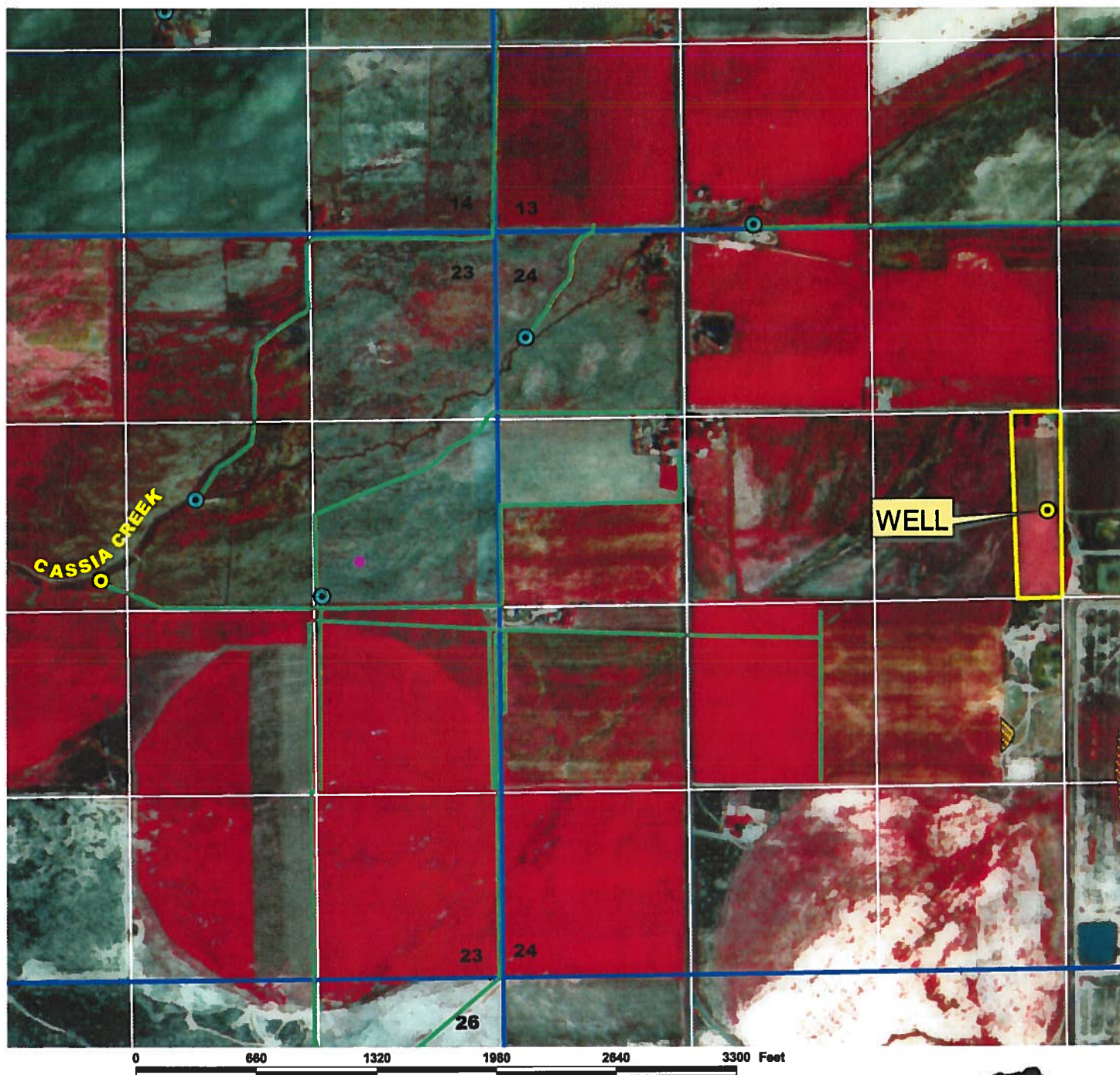
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 10 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-323 AND 43-4105B.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

RECOMMENDED PLACE OF USE FOR 43-323A AND 43-4105B



PLACE OF USE

TWP 13S, RNG 26E, SEC 24

Data entry on December 19, 2000

GIS PLACE OF USE PRESENTATION

1987/1988 NAPP AERIAL PHOTOGRAPHY

DATA ENTRY BY KELLY K CHRISTENSEN

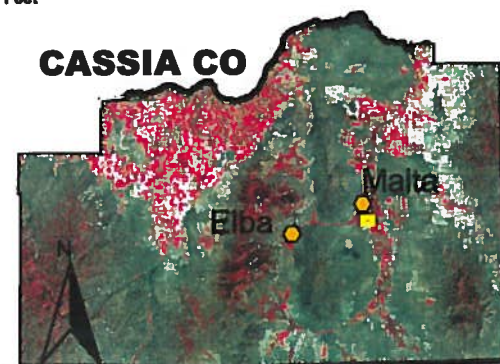
● RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

CASSIA CO



Idaho Dept of Water Resources
Claims review notes and narrative

Date: 12-19-2000

File: 43-323a montoya analysis

Prepared by Kelly K Christensen

**SYSTEM REVIEW FOR
43-323A AND 43-4105B**

This claim is for 10 acres within the decreed place of use for **43-323**. T-2541 was filed in 1981 to change the point of diversion and the place of use for a portion of 43-4105. This is the same 10 acres under this claim. The decreed right was split into 3 pieces and was claimed proportionally. It was not over claimed. The claimed point of diversion location did not match the recommended point of diversion. The recommended P/D is the same one as recommended under the other parts of the decreed right.

43-4105B was created through transfer 2541 on the 10 acres described above. The claimant supplied information on the well capacity which Scott King used to estimate the diversion rate. His estimate indicated that the diversion rate was somewhere between 0.13 cfs and 0.24 cfs. The major factor is the depth to water. As the claimed rate and legal limit for the 10 acres is 0.20 cfs, I am recommending that rate.

The claimed priority date was 1925 but the evidence of priority submitted with 43-4105C indicates that the well was constructed in 1927. I am recommending the 1927 priority date.

The claimed and recommended place of use is 10 acres. This includes any buildings, roads and other non-irrigated ground as it did not appear that there was a significant acreage that was not irrigated.

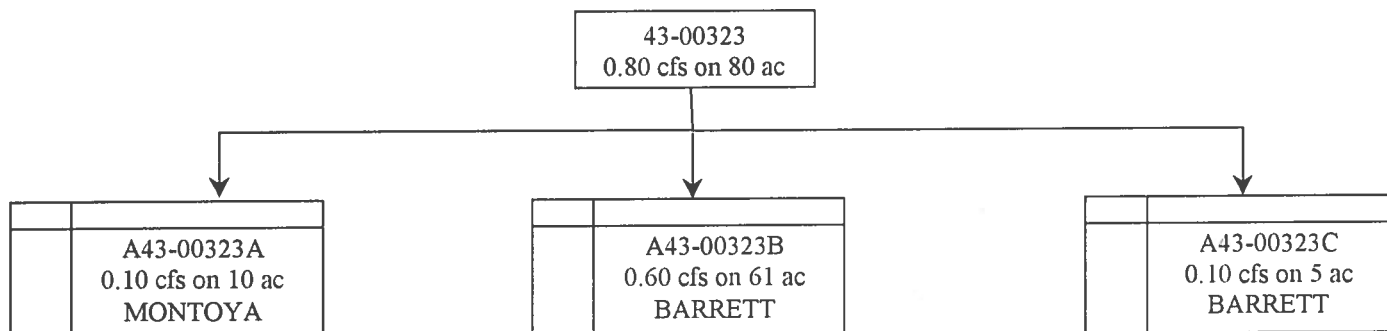
SD-0611-2 Basin: 43 Starting Water Right: 00323

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	43-00323	TRACY, D. E. TRACY, MARY	C C	04/01/1912	D/	CASSIA CREEK	IRR	WR
	A43-00323	SPLIT RIGHT	C	04/01/1912	/Z	CASSIA CREEK SPLIT RIGHT	IRR	AJ
	A43-00323A	MONTROYA, AMPELIO	C	04/01/1912	D/	CASSIA CREEK	IRR	AJ
	A43-00323B	MONTROYA, ALBERTA	C					
	A43-00323B	BARRETT, JOSEPH W	C	04/01/1912	D/	CASSIA CREEK	IRR	AJ
	A43-00323C	BARRETT, MARY LUANA	C					
	A43-00323C	BARRETT, JOSEPH	C	04/01/1912	D/	CASSIA CREEK	IRR	AJ
	A43-00323C	BARRETT, MARY LUANA	C					
	R43-00323A	MONTROYA, AMPELIO	C	04/01/1912	D/	CASSIA CREEK	IRR	AJ
	R43-00323A	MONTROYA, ALBERTA	C					
	R43-00323B	BARRETT, JOSEPH W	C	04/01/1912	D/	CASSIA CREEK	IRR	AJ
	R43-00323B	BARRETT, MARY LUANA	C					
	R43-00323C	BARRETT, JOSEPH	C	04/01/1912	D/	CASSIA CREEK	IRR	AJ

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

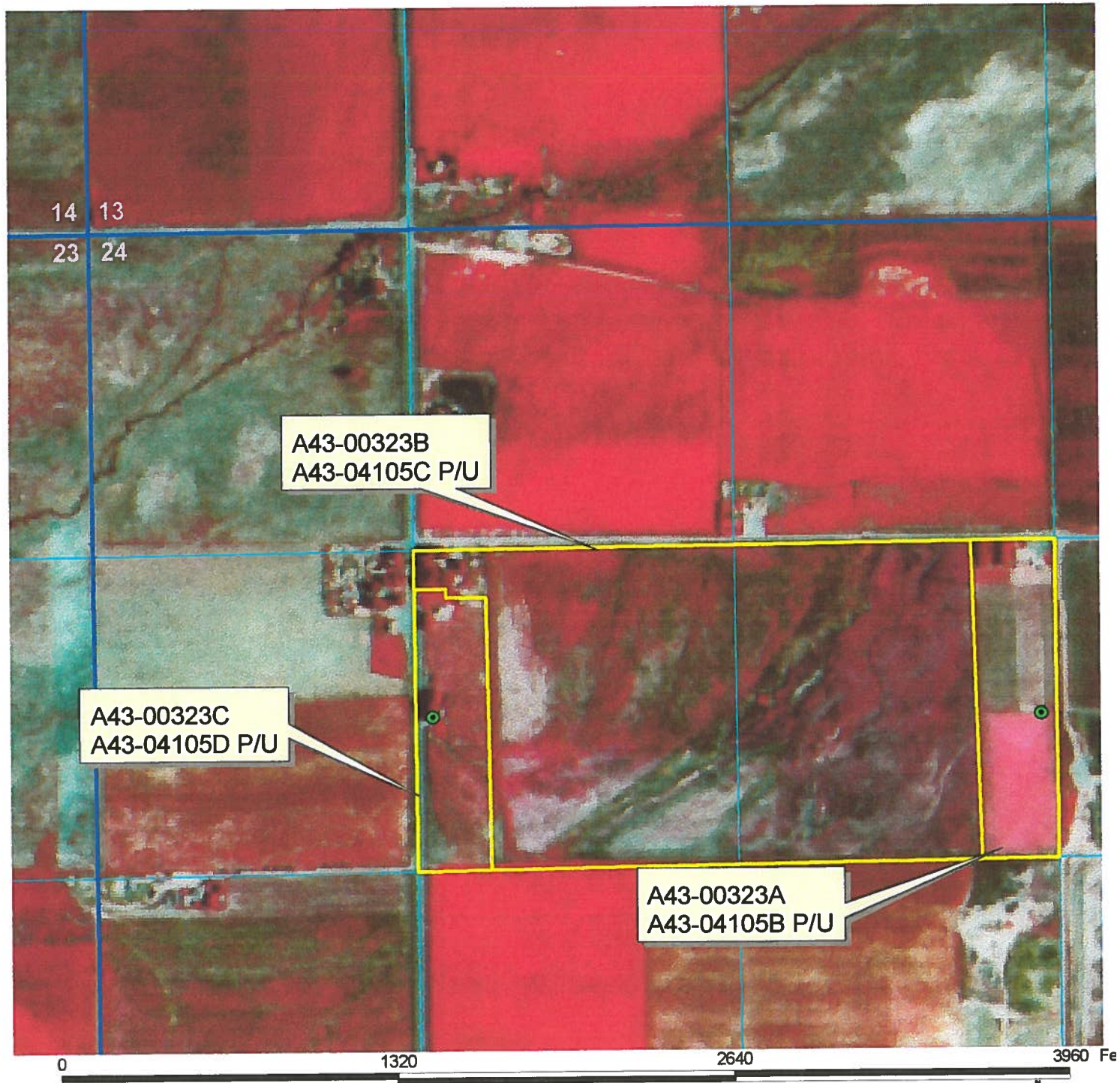
Natural 2.1/70 OUR Help available LIB=PRODLIBS

DATA GENERATED -- Wednesday, March 24, 1999
 Kelly K Christensen



IDAHO DEPARTMENT OF WATER RESOURCES

CLAIMED PLACE OF USE LAYOUT



- CLAIMED POINT OF DIVERSION
- CLAIMED PLACE OF USE
- SECTION LINES
- QUARTER QUARTER LINES

FIELD EXAM DATE

AGENT



GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN